

## **The Spinal Injuries Association's response to the Department for Transport's Consultation on Improving Access to Taxis.**

The Spinal Injuries Association (SIA) is a national user-led organisation supporting the interests of 40,000 people in the United Kingdom who have sustained spinal cord injury (SCI). SCI can be the result of either damage or disease to the spinal cord and the results can range from loss of feeling in parts of the body through to full body paralysis. As such, the majority of our members are either wheelchair users or experience severe difficulties in getting about as a result of partial paralysis. SIA has an individual membership of over 5,000.

SIA urges the Department for Transport to fully enact sections 32 to 36 of the Disability Discrimination Act to ensure that disabled people are given the same rights as other members of the public through a modern, fully integrated transport system. SIA believes that the only way to compel licensing authorities to meet the needs of disabled people through their taxi provision is through legislation. This legislation should ensure that disability awareness training and training in the disability equipment mounted on taxis should be mandatory prerequisites for a taxi license. SIA also calls for the DfT not to introduce a mixed fleet of hackney carriages, but rather to produce a new taxi specification that is fully accessible for wheelchair users and ambulant disabled people alike, ensuring the accessibility of the first cab on the rank for all members of society.

[Q1: What is your view of the analysis and data included here and in the Impact Assessment? Do you have any further or more accurate data that you would be able to send us?](#)

The impact assessment makes little reference to the cost benefits of improving taxi accessibility. Improved accessibility will, to a degree, lead to increased employment in disabled people. This will not only lead to a reduction in benefits paid out by the state, but will lead to increased tax revenue from disabled employees. The consequent work journeys and increased disposable income will lead to further trips being undertaken by disabled people, additional to those that the impact assessment has already identified.

Additionally, the data in these assessments cannot represent the social implications of improving access to travel for some of the most marginalised people in society as they are unquantifiable.

[Q2: What do you think are the potential impacts, costs and benefits of the 'do nothing' scenario?](#)

The impact of the 'do nothing' scenario is to ensure that disabled people will never have parity of service from public taxis, or an integrated transport system. Many disabled people will continue to be unable to fully participate in society and will have considerably less opportunities as a result.

Local authorities who currently have little interest in providing an accessible taxi service will continue to take the path of least resistance and disabled people will continue to experience a 'postcode lottery' in accessible public transport.

This is simply not acceptable from a public service.

**Q3: Do you have any further or more accurate data on potential costs and benefits of a 'do nothing' scenario that you would be able to send us?**

No.

**Q4: What type of guidance would be most effective, in what format should it be produced and what can the DfT do to promote takeup?**

SIA believes the only way to ensure the take up of guidance is to legislate. There is no incentive for local authorities to take up guidance, and this will continue to lead in inequalities in service across different licensing areas, with the worst authorities continuing to lag behind.

Any guidance that is produced should be done so in conjunction with specific interest groups such as wheelchair users. Design is important and it needs to be easily read. Where possible it should be in bullet points with a DVD showing visual examples of good practice.

**Q5: What do you think of the draft technical specification? Do you think that it would help to improve levels of accessibility? Which aspects of it could be delivered easily and which ones would be problematic?**

SIA welcomes the technical specification and believes that it will greatly improve access for disabled people. However, side loading should be the standard adopted as the safest method of accessing taxis from taxi ranks and the street. The advantages of side loading are that:

- It is safer to keep wheelchair users on the pavement than to put them in the road, particularly facing away from on coming traffic.
- Taxi drivers may not be familiar with lowering a wheelchair over a kerb which can present dangers to the passenger. Similarly, passengers using electric wheelchairs may find it impossible to go down over a kerb. If access is from the pavement then these issues do not arise.
- Being seated in the centre of a taxi is likely to be safer than being seated at the rear of the vehicle. The majority of accessible taxis have centre divisions which would provide passenger protection in the event of a side impact. However, most rear loading taxis leave the wheelchair passenger at the back of the vehicle in the rear impact zone.

- The need to have an alternative exit in the event of an accident is paramount. In an emergency a side loading vehicle will offer the passenger the opportunity to exit the vehicle from an alternative exit. In the case of a rear loading vehicle where the rear doors or tailgate are damaged, this would be impossible. This is not acceptable for a public service vehicle.

SIA also believes that accessibility for ambulant disabled passengers is a key issue. At present the purpose built taxi provides a swivel seat and demountable step on every vehicle. If this were replicated by converters it would address the perceived difficulty by ambulant disabled passengers of using accessible taxis.

As we are a user organisation we do not feel able to comment on which aspects of the specification would be easy for manufacturers and converters to implement and which will be problematic.

**Q6: What do you think are the advantages and disadvantages of DfT funded demonstration schemes?**

SIA welcomes the idea of demonstration schemes, but to make them effective they must be established in the correct manner. The DfT will need to ensure that ALL interested parties are included in creating the schemes including the involvement of local disability organisations to ensure that fleets meet the needs of the disabled people who will be using them.

However, as the schemes will only lead to guidance for other local authorities to follow, we feel that this is not the best approach. As discussed in our response under question 7, to ensure that the worst local authorities improve access to their taxi fleet the DfT must regulate and thereby eliminate the post code lottery of taxi access across the UK.

**Q7: What do you think would be the most effective ways of influencing action by local licensing authorities, drivers and manufacturers?**

SIA believes that the only way to ensure action on taxi accessibility is to legislate. Issuing guidance does not obligate a licensing authority to make changes to the way in which they issue taxi licenses or approach accessibility in general. Those forward thinking authorities that already adopt a positive approach to access for disabled people will follow the guidance, but those who currently pay little or no heed to the issue are unlikely to change as a result of guidance. However, these are precisely the authorities which must improve access, and legislation is the only way that the existing postcode lottery can be eliminated.

The full implementation of parts 32-36 of the DDA would bring clarity to the issue for all concerned.

As much of the opposition from the trade regards the cost of accessible vehicles, SIA would welcome a reduction in Vehicle Excise Duty for drivers, along with any other financial inducements that would encourage take up of accessible vehicles.

**Q8: What are your views on the Government's proposal to amend and commence section 36 of the Disability Discrimination Act? This would impose a duty on drivers of taxis and private hire vehicles that are designated as being wheelchair accessible to assist passengers in wheelchairs, to carry them in safety and comfort and to not charge them any extra.**

Section 36 of the DDA should be commenced as soon as possible to ensure that disabled passengers receive parity of service when using taxis. That disabled people may still experience little or no service, unsuitable or unusable vehicles and increased fares purely as a result of their disability is unacceptable for a public service nearly 15 years after the DDA was first enacted.

**Q9: What additional enforcement action or tools would be the most effective ways of improving driver behaviour and attitudes?**

SIA would like to see the introduction of a standardised, enforced complaints procedure across all local authorities. This will ensure that all complaints are handled effectively and with the gravitas befitting an act of discrimination. Under the current arrangements different authorities deal with issues of discrimination in different ways, and often our members are left with little or no results and a belief that disputes are not taken seriously.

Suitable punishment for acts of disability discrimination will lead to the issue being taken more seriously by the industry, thus improving access for disabled passengers. SIA believes that there must be a significant monetary fine as recommended by the DDA, and would welcome the compulsory attendance on a disability awareness training course as a supplementary penalty. However, we do not believe that training should be taken in lieu of a fine, particularly if training becomes a mandatory pre-requisite for obtaining a license, as suggested in our response below. The statistics given regarding speeding drivers and their level of repeat offending will not translate to disability discrimination due to the significant difference in fine - £1000 recommended by the DDA as opposed to less than £100 for speeding. It is much less likely a driver will repeat offend when he is fined ten times more for discrimination.

A taxi driver who does not pick up a disabled passenger is as guilty as any other service provider of discrimination and should be liable to the same penalties. As such we advocate the full enactment of sections 32-36 of the DDA.

**Q10: What measures do you think could act as positive incentives to improve driver behaviour and the levels of service offered to disabled people?**

The introduction of a nationally recognised good practice scheme may improve behaviour and levels of service offered to disabled people. Similarly, an accreditation for drivers following awareness and equipment training (see question 11) would ensure disability equality was associated with professionalism. This would have a positive impact on service delivery.

**Q11: In relation to improving access to taxis, what do you think the DfT and local licensing authorities could do better or more effectively?**

SIA believes that all taxi drivers should be trained in dealing with disabled passengers. SIA therefore recommends that:

- All drivers must undertake disability awareness training as a condition of their licensing.
- All drivers must demonstrate that they have full working knowledge of the equipment fitted to their taxi. This should include the ability to safely load and secure a wheelchair and assist passengers with other mobility requirements.

Local authorities can also ensure that accessibility to taxis is made easier for disabled passengers in some very simple ways. The following key principles should be a requirement on all authorities.

- Taxis on taxi ranks should always be accessible from the near side.
- Ranks should have raised pavements at the point of entry so as to minimise ramp angles and step height.
- Cover should be provided for passengers at ranks where waiting is a frequent occurrence.
- Rank availability should take into account the needs of disabled passengers. For example, ensuring that hospitals have accessible taxi ranks near to the main entrance.

**Q12: How could we help to increase the availability of accessible taxis and private hire vehicles at ports, airports, bus and rail stations?**

To ensure true equality of access, accessible vehicles must be available at all transport hubs. This currently works well at bus and train stations and should be extended to airports and ports. The issue of access at these hubs is even more pertinent as disabled individuals will almost certainly be carrying baggage. A private hire car that must carry a wheelchair in its boot as well as baggage will have significantly less room for passengers, and will be unable to carry an electric wheelchair user.

It is unacceptable that many disabled people at these hubs will not have access to suitable accessible taxis, and the government should legislate to ensure that taxi access at these points is brought in line with local authorities. True equality of service for disabled people will only be achieved through a fully integrated transport system. Section 33 of the DDA should be enacted to ensure that taxis are as common and accessible at these transport hubs as they are in other areas of the country.

**Q13: How could we improve the consistency and quality of information provided to disabled people about taxis?**

The DfT should look to disseminate information through disability organisations, local authorities and taxi drivers themselves. However, the best method of ensuring consistency and quality is to produce a standard specification and guidance that is recognised across the UK. Disabled people will become familiar with the standards and manage their expectations accordingly. The current variations in local authority's approaches to taxi accessibility leaves disabled people uncertain of the service and standards they should expect from a local taxi service.

**Q14: What do you think are the potential impacts, costs and benefits of a proactive programme of DfT lead initiatives?**

Whilst introducing a programme of pro-active initiatives is likely to have a more significant impact than the "do nothing" scenario, it would still be insufficient to ensure that disabled people will have equal access to taxis across the country. Those local authorities who currently have little interest in providing an accessible taxi service, or pay lip service to current guidance, will continue to take the path of least resistance and disabled people will not see their local taxi service improve.

It is imperative that local authorities across the country adopt the same accessibility criteria to ensure that disabled people have the same service provision as anyone else. The only way to ensure this is through regulation.

**Q15: Do you have any further or more accurate data on potential costs and benefits of a programme of DfT led initiatives that you would be able to send us?**

No.

**Q16: What do you think about the draft technical specification?**

This question is answered under question 5. We are pleased to see that the standards have been produced using the same wheelchair template as used for bus and train specifications. Standards should be robust enough to encompass

the dimensions and design of chairs issued by wheelchair services, and as such the proposals should cover most wheelchair user's needs.

SIA would also like to see the DfT undertake additional safety precautions for accessible vehicles. Those that are converted to accommodate wheelchair users can currently be tested to Single Vehicle Type Approval after conversion, which is a national standard. SIA does not believe that this is acceptable for a public service taxi. All such converted taxis should be re-tested to fully European Whole Vehicle Type Approval.

**Q17: What do you think are the potential impacts, costs and benefits of a regulation?**

Regulation is the only way to ensure that disabled people will achieve parity of service provision from the taxi industry. By setting out specific criteria that a local authority must meet, disabled people can be assured that, irrespective of where they are in the country, they will have a nationally recognised service from the taxi trade. This will not only improve the opportunities of disabled people, but will also inspire confidence in disabled people and encourage them to undertake more journeys.

**Q18: Do you have any further or more accurate data on the potential costs and benefits of a regulation that you would be able to send us?**

No.

**Q19: How do you think that a technical standard should be enforced?**

SIA believes that the standard should be enforced through the full implementation of sections 32-36 of the DDA.

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